

Barred Crimes and Other Offenses
Child Care

Statute	Conviction or Pending Charge OR Adjudicated Delinquent or Delinquency Petition on or after 12th birthday	Action
48.685(2), (3), (4m)(b), or (6)	Providing false information or the intentional withholding of information from the Department, a county department, an agency contracting under s. 48.651(2), a school board, or an entity.	Permanent Bar, rehabilitation not permitted
125.075 (1)	Injury or death by providing alcohol to a person under age 18	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections
125.085 (3) (a) 2.	Make, alter, duplicate ID for money or compensation	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections
125.105 (2) (b)	Impersonate or abet impersonation of an inspector, agent or employee of Dept of Revenue or Justice	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections
125.66 (3)	Make or rectify intoxicating beverage without a permit	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections
125.68 (12)	Recover, use, conceal or dispose of alcohol from denatured alcohol	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections
346.63 (1), (2), (5) or (6)	Operating or causing injury by intoxicated use of a motor vehicle that is a felony under s. 346.65 (2)(am)5., 6., or 7. or (f), (2j)(d) or (3m)	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections
940.01	1 st degree intentional homicide	Permanent Bar, rehabilitation not permitted
940.02	1 st degree reckless homicide	Permanent Bar, rehabilitation not permitted
940.03	Felony murder	Permanent Bar, rehabilitation not permitted
940.05	2 nd degree intentional homicide	Permanent Bar, rehabilitation not permitted
940.06	2 nd degree reckless homicide	Permanent Bar, rehabilitation not permitted
940.09	Homicide by intoxicated use of vehicle or firearm	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections
940.12	Assisting suicide	Bar unless rehabilitation approval
940.19 (2), (4), (5), or (6) (spouse victim)	Substantial or aggravated battery (if victim is the spouse of the person convicted)	Permanent Bar, rehabilitation not permitted
940.19 (3) 1999 Stats. (spouse victim)	Substantial or aggravated battery (if victim is the spouse of the person convicted)	Permanent Bar, rehabilitation not permitted
940.19 (2), (4), (5) or (6)	Substantial or aggravated battery	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections

Note: Any comparable offense or conviction under federal or another state's law has the same categorization as crimes and offenses included on this list.

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940.19 (3) 1999 Stats.	Substantial or aggravated battery	Bar unless rehabilitation approval
940.20 (1) or (1m)	Battery by prisoners or battery by persons subject to certain injunctions, if the victim is the spouse of the person convicted	Permanent Bar, rehabilitation not permitted
940.20	Battery: special circumstance	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections
940.203	Battery or threat to a judge	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections
940.205	Battery or threat to a Dept. of Revenue employee	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections
940.207	Battery or threat to Safety and Professional Services or Workforce Development employee	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections
940.21	Mayhem	Permanent Bar, rehabilitation not permitted
940.22 (2) or (3)	Sexual exploitation by therapist; duty to report	Bar unless rehabilitation approval
940.225 (1), (2) or (3)	1 st , 2 nd , 3 rd degree sexual assault	Permanent Bar, rehabilitation not permitted
940.23	Reckless Injury	Permanent Bar, rehabilitation not permitted
940.25	Injury by intoxicated use of a vehicle	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections
940.285 (2)	Abuse of vulnerable adults (Misdemeanor or Felony conviction)	Bar unless rehabilitation approval
940.29	Abuse of residents of a penal facility	Bar unless rehabilitation approval
940.295	Abuse or neglect of patients & resident (Misdemeanor or Felony conviction)	Bar unless rehabilitation approval
940.302 (2) if s. 940.302 (2)(a) 1.b. applies	Human trafficking for a commercial sex act	Bar unless rehabilitation approval
940.305	Taking hostages	Permanent Bar, rehabilitation not permitted
940.31	Kidnapping	Permanent Bar, rehabilitation not permitted
941.20 (2) or (3)	Endangering safety with use of a dangerous weapon (Felony conviction only)	Permanent Bar, rehabilitation not permitted
941.21	Disarming a peace officer	Permanent Bar, rehabilitation not permitted
942.09 (2)	Representations depicting nudity (Felony conviction only)	Bar unless rehabilitation approval
943.10 (2)	Armed burglary or burglary with battery	Permanent Bar, rehabilitation not permitted
943.201	Identity Theft	Permanent Bar for licensee or certified operator, rehabilitation not permitted
943.203	Theft of an entity's identity	Permanent Bar for licensee or certified operator, rehabilitation not permitted

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943.23 (1g)	Operating a motor vehicle without the owner's consent while possessing a dangerous weapon	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections
943.32 (2)	Robbery by use, or threat of use, of a dangerous weapon	Permanent Bar, rehabilitation not permitted
943.34 (1)	Receiving stolen property (Felony conviction only)	Permanent Bar for licensee or certified operator, rehabilitation not permitted
943.38 (1) or (2)	Forgery (Felony conviction only)	Permanent Bar for licensee or certified operator, rehabilitation not permitted
943.395 (1)	Fraudulent insurance or employee benefit program claim (Felony conviction only)	Permanent Bar for licensee or certified operator, rehabilitation not permitted
943.41 (3) (e), (4) (a), (5), (6) or (6m)	Financial transaction card crime – theft, forgery or fraudulent use of a financial transaction card (Felony conviction only)	Permanent Bar for licensee or certified operator, rehabilitation not permitted
943.45 (1)	Theft of telecommunications service (Felony conviction only)	Permanent Bar for licensee or certified operator, rehabilitation not permitted
943.455 (2)	Theft of commercial mobile service (Felony conviction only)	Permanent Bar for licensee or certified operator, rehabilitation not permitted
943.46 (2)	Theft of video service (Felony conviction only)	Permanent Bar for licensee or certified operator, rehabilitation not permitted
943.47 (2)	Theft of satellite cable programming (Felony conviction only)	Permanent Bar for licensee or certified operator, rehabilitation not permitted
943.50 (1m)	Retail theft (Felony conviction only)	Permanent Bar for licensee or certified operator, rehabilitation not permitted
943.70 (2) (a) or (am) or (3) (a)	Computer crime (Felony conviction only)	Permanent Bar for licensee or certified operator, rehabilitation not permitted
Subch. IV of Ch. 943 Stats.	Crimes against a financial institution, which covers <i>all</i> sections and subsections from 943.80 through 943.92 (Felony conviction only).	Permanent Bar for licensee or certified operator, rehabilitation not permitted
948.21 (1) (a)	Neglecting a child (Misdemeanor conviction)	Bar unless rehabilitation approval
948.22 (2)	Failure to support	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections unless the person has paid all arrearages due and is meeting his or her current support obligation
948.51 (2)	Hazing if it results in great bodily injury or death (Felony conviction only under 948.51 (3) (b) or (c))	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections
948.53 (2) (b)1.	Child unattended in a vehicle (Misdemeanor conviction)	Bar unless rehabilitation approval
Any other felony offense under Ch. 948 Stats	Crimes against Children (Felony conviction only except as noted for 948.22 (2) or 948.51 (2) above)	Permanent Bar, rehabilitation not permitted

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Any felony offense under Ch. 961 Stats.	Uniform Controlled Substances Act (Felony conviction only) This includes convictions under previous numbering in ch 161, Stats.	Bar for 5 years after completion of sentence, including probation, parole, or extended supervision, or discharge by Dept. of Corrections
Unspecified	An offense involving fraudulent activity as a participant in the Wisconsin Works program under ss. 49.141 to 49.161, including as a recipient of a child care subsidy under s. 49.155, or as a recipient of aid to families with dependent children under s. 49.19, medical assistance under subch. IV of ch. 49, food stamps benefits under the food stamp program under 7 USC 2011 to 2036, supplemental security income payments for the support of children of supplemental security income recipients under s. 49.775, or health care benefits under the Badger Care health care program under s. 49.665.	Permanent Bar, rehabilitation not permitted

OTHER OFFENSES		
Other Offenses	Finding by a governmental agency of child abuse or neglect	Bar unless rehabilitation approval
Other Offenses	Finding by a governmental agency of neglect or abuse of a client, or of misappropriation of a client's property	Bar unless rehabilitation approval

Note: In addition to the barring crimes and offenses listed in the table above, information indicating a conviction under ss. 940.19(1), 940.195, 940.20, 941.30, 942.08, 947.01(1), or 947.013, Wisconsin Statutes, requires the department, certifying agencies, and licensed child care providers to contact the clerk of courts to obtain a copy of the criminal complaint and judgment of conviction relating to that violation, if the conviction was within the past 5 years. The court records are used to conduct an investigation to determine whether the offense is substantially related to the care of children or the activities of the child care program. Convictions for other offenses/convictions not listed in the table above or referenced here may also require a substantially related investigation. The form, Caregiver Background Check – Substantially Related Investigation Report” is available on the department’s website (<http://dcf.wisconsin.gov/forms/pdf/2261.pdf>) and may be used to document an investigation to determine whether a conviction is substantially related to a person’s ability to provide care to children or the activities of a child care program.

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